

REMARKS/ARGUMENTS

Favorable reconsideration of this application is respectfully requested.

Claims 1, 5-10, 14-19, 23-28, and 32-36 are pending in this application. Claims 1, 7, 8, 10, 16, 17, 19, 25, 26, 28, 34, and 35 were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. patent 6,108,492 to Miyachi in view of U.S. patent 6,026,380 to Weiler et al. (herein "Weiler"). Claims 5, 6, 9, 14, 15, 18, 23, 24, 27, 32, 33, and 36 were rejected under 35 U.S.C. § 103(a) as unpatentable over Miyachi in view of Weiler, further in view of U.S. patent 5,414,494 to Aikens et al. (herein "Aikens").

Addressing now the prior art rejections based on Miyachi and Weiler, and further in view of Aikens, those rejections are traversed by the present response.

The claims are amended by the present response to clarify the image forming device having "direct" network access, and that in the image forming device the communicating unit sends the log of the monitored data "through the direct network access". That subject matter is believed to be clear from the original specification, see for example Figure 1 showing a system with image forming devices having direct network access and the Sending Package 1600. The claims also clarify the communicating unit or operation by reciting in independent claim 1 "a communicating unit configured to receive a command to send information based on the log of the monitored data, and to send the information of the monitored data through the direct network access". The other independent claims are similarly amended.

The features clarified in the claims are believed to clearly distinguish over the applied art.

Addressing first the primary reference to Miyachi, Miyachi does not disclose or suggest an image forming apparatus having direct network access, and thereby clearly does not disclose or suggest sending the log of the monitored data through a direct network access. Miyachi shows in Figure 1 the multifunction machine MFP 110a connected to a host 110b to

a SCSI; but no direct network access is shown in Miyachi. As a result of such a structure in Miyachi the status of the MFP 110a can only be sent to the host 110b. Thereby, in Miyachi the MFP 110 cannot directly communicate with the network work station 150 and remote station 170.

One basis for maintaining the rejection stated “Figure 1 of Miyachi clearly shows the MFP 110a connected to a network (either LAN 100 or PSTN 130) *via* host 110b. Thus, the MFP 110a can in fact communicate with the network workstation 150 or the remote computer 170”.<sup>1</sup> In reply to that basis for maintaining the rejection, the claims now recite the image forming apparatus having *direct* network access, which is clearly not the case in Miyachi, as even recognized in the above quote stating that in Miyachi the MFP 110a can only communicate the host 110b. Thereby the above-noted claim features clearly distinguish over the applied art.

Moreover, applicants respectfully submit the claims recite additional features that distinguish over the applied art.

Claim 1 additionally recites an image forming device “including an operation panel, the operation panel comprising a plurality of operations to be selected by a user”, and a monitoring unit configured to “monitor data of selecting of the plurality of operations of the operation panel by the user, including monitoring at least one of a sequence, timing, or frequency of selecting of the plurality of operations”. The other independent claims recite similar features.

The claims are directed to a system, method, and computer program product that allows monitoring of how a user selects operations on an operation panel of an image forming device. That is, an image forming device includes an operation panel that has plural operations to be selected by a user. Those operations, as non-limiting examples, relate to

---

<sup>1</sup> Office Action of January 8, 2007, page 8, prenumbered paragraph 20 (emphasis added).

selection of a number of copies, copy conditions, paper size selection, etc. An operation in the claimed invention is to monitor the selection of those operations by a user. That is, the claims are directed to monitoring when a user selects, e.g., a paper size operation, when the user selects a copy number operation, etc. One objective of the present invention is to monitor such data so that a user's usage of an operation panel can be evaluated, so that the setup, layout, control, etc. of an operation panel of an image forming device can be improved.

Miyachi does not disclose or suggest any monitoring of operations on an operation panel of an image forming device that a user selects.

The basis for the outstanding rejection appears to be misinterpreting the claimed features relative to disclosure of Miyachi with respect to the above-noted objective and operation of the claimed invention. One basis for the rejection states “[c]learly a multifunction peripheral such as Miyachi’s must monitor user input at the operation panel in order to effectuate the proper operations requested by the user”.<sup>2</sup> The above statement in the Office Action reflects that the Office Action is not properly considering all the claimed features. Of course a multifunction device must recognize which operations on an operation panel a user selects so that the proper copying, scanning, faxing etc. operations are executed. That is not what the claims recite. Recognizing what selections an operator makes, however, does not *indicate that those same operations are monitored and logged*. Applicants respectfully submit it is clearly not the case that a multifunction peripheral such as Miyachi would monitor and log the user’s input in an operation panel. The basis for the outstanding rejection is thereby misconstruing this connection of claimed features.

The outstanding rejection specifically cites Miyachi to disclose monitoring the selecting of the plurality of operations on the operation panel at column 5, lines 57-65. As noted above, those disclosed in Miyachi do not correspond to the claimed features.

---

<sup>2</sup> Office Action of January 8, 2007, page 3, prenumbered paragraph 10, lines 3-5.

At column 5, lines 27-30 Miyachi discloses that the multifunction peripheral includes a user input device 285 with button switches. However, the monitoring referred to at column 5, lines 57-65 in Miyachi is not directed to monitoring selections of those button switches, and particularly one of a sequence, timing, or frequency of selecting those buttons. More specifically, at column 5, lines 57-65 Miyachi discloses monitoring the conditions of the multifunction peripheral and updating a status information table such as Table 1 shown in columns 6-7. However, Miyachi does not disclose or suggest monitoring which button switches are selected by a user. In fact, in reviewing Table 1 in Miyachi all the status information stored therein is directed to different status indications of the device itself, but is not directed to which selections on an operation panel a user selects. Miyachi merely discloses monitoring different status conditions of the device, but does not disclose or suggest monitoring which buttons on an operation panel a user selects.

Even more specifically, at column 5, lines 57-65 Miyachi refers to “monitoring the condition of the MFP and updating a status information table”. Miyachi does not disclose or suggest the claimed features of monitoring an input sequence of a selection of operations on an operation panel of a user, and such information is in fact of no interest to the device of Miyachi. Table 1 of Miyachi contains status conditions “[User] key original document size selection” and “[User] key paper size selection”. However, Miyachi does not disclose or suggest, nor have any reason, to monitor the sequence, timing, or frequency of selections of operations selected by a user. For example in Miyachi if a change is made from an original document size from 11 x 17 to letter size and a paper size selection from letter size to 11 x 17 or size enlargement, the input sequence and frequencies are not at all tracked.

In such ways, Miyachi is not directed to a device even similar to the claimed invention.

The outstanding rejection appears to cite Weiler in combination with Miyachi with respect to the certain features noted above. In that respect, the outstanding rejection appears to cite Weiler to disclose monitoring at least one of a sequence, timing, or frequency of selecting of a plurality of operations and to generate a log of the monitored data, citing Weiler at column 5, lines 57-65 and at column 4, lines 48-63.<sup>3</sup>

In reply to that basis for the outstanding rejection Applicants note Weiler also does not disclose or suggest the claimed features of sending a log of the monitored data through network access. The system of Weiler utilizes a serial port as shown in Figure 2, and does not send any data through a network access. Thus, Weiler does not cure that deficiency in Miyachi.

Moreover, Weiler does not cure the recognized deficiencies of Miyachi.

Column 5, lines 57-65 of Weiler are merely directed to claim 5, directed to secondary serial cables and the control of an enable switch. Those disclosures in Weiler are not seen to have any relevance whatsoever to the claimed features, and it is unclear on what basis those disclosures in Weiler are even cited.

At column 4, lines 48-63 Weiler discloses recording a log table of different copy events. However, again that teaching in Weiler is not directed to the claimed features of monitoring and keeping a log of at least one of sequence, timing, or frequency of selecting of the operations on an operation panel. Weiler discloses monitoring how copying is being executed, but the log in Weiler would not indicate what buttons on an operation panel of an image forming device the user has selected. Instead, in Weiler the execution of copy events is logged. Such features in Weiler are not directed to the claimed features and do not cure the discussed deficiencies in Miyachi.

In addressing the above-noted comments the outstanding Office Action states:

---

<sup>3</sup> Office Action of January 8, 2007, page 4, prenumbered paragraph 13, lines 5-9.

The previous line citation to Weiler, column 4, lines 48-63, shows that usage information for the device is recorded by recording events based on user selection on the device. For example, the device uses input prompts responsive to the sequence of keys pressed. The device also monitors the timing of keys pressed by setting an expiration of time since the last keyboard input.<sup>4</sup>

In reply to the above-noted basis for the rejection, applicants again point out the outstanding Office Action is not properly considering the claimed features. The claims recite monitoring at least one of a sequence, timing, or frequency of selecting of the plurality of operations on an operation panel. That is, which operations on an operation panel a user selects is monitored and logged. Weiler simply does not disclose or suggest that feature, but instead Weiler discloses monitoring *copy events*; a copy event does not necessarily correspond to which operation on an operation panel a user selected.

Weiler at the cited column 4, lines 48-63 discloses “each *copy event* is recorded in the event log table in step 915”.<sup>5</sup> The copy event in Weiler does not detail which operations a user actually selected or how often. For example, with the claimed invention, if a user selected making one copy ten times by pressing the copy button ten times, then that would be logged in the claimed invention in a first way, whereas if a user utilized the operation panel to set the number of copies at ten and then pressed the copy button only once, that would be logged a different second way. In those examples, in the claimed invention, the selected operations on the operation panel are different, so the monitored data is different. That does not appear to be the case in Weiler in that in Weiler only the copy event is recorded, so that in the example noted above in Weiler in each case the only event recorded would be that ten copies are made.

In such ways, the rejection is not fully considering the claimed features relative to Weiler. In the claims what operations a user selects on an operation panel is monitored. In

---

<sup>4</sup> Office Action of January 8, 2007, page 9, prenumbered paragraph 22.

<sup>5</sup> Weiler at column 4, lines 53-54 (emphasis added).

Weiler only copy events are monitored. Thereby, the claims clearly differ from the operation in Weiler.

Further, applicants note the claims recite, for example in independent claim 1, that the monitoring unit and the communicating unit are “self-contained in the image forming device”. That feature is believed to also distinguish over the applied art.

Particularly, in Weiler the storing of data is performed in the central control computer 300,<sup>6</sup> and not in the actual image forming device. The claims recite a different structure than in Weiler in that in the claims the monitoring and communicating are self-contained in the image forming device.

Further, in Weiler the central control computer 300 has to enable the copy function.<sup>7</sup> Further, in Weiler the mini-terminals 100 are not part of an imaging device, but instead are interfaces between an imaging device and the central control computer 300, as shown for example in Figures 2-4. Also, in Weiler the flowchart shown in Figures 5 and 6 are control programs located in the central control computer 300.<sup>8</sup>

Thus, Weiler clearly differs from the claims as written in that in the claims the monitoring and communicating are self-contained in the image forming device, which is taught away from in Weiler.

In view of these foregoing comments, applicants respectfully submit the claims as written recite distinctions over the applied art. Thereby, each of the claims as written is believed to be allowable.

---

<sup>6</sup> Weiler, column 1, lines 47-49.

<sup>7</sup> Weiler, column 1, lines 44-45.


<sup>8</sup> Weiler, column 4, lines 8-11.

Application No. 09/440,645  
Reply to Office Action of January 8, 2007.

As no other issues are pending in this application, it is respectfully submitted that the present application is now in condition for allowance, and it is hereby respectfully requested that this case be passed to issue.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



---

James J. Kulbaski  
Attorney of Record  
Registration No. 34,648

Customer Number  
**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 03/06)  
SNS/rac

Surinder Sachar  
Registration No. 34,423

I:\ATTY\SNS\5244\52440109\52440109US-AM1.DOC